

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF MISSISSIPPI,

Defendant.

CIVIL ACTION NO.
3:16-CV-00622-CWR-FKB

JOINT MOTION TO MODIFY SCHEDULING ORDER

The Parties respectfully request that the Court adopt the pre-trial schedule set forth in Exhibit 1 (the “Schedule”) of the Parties’ Stipulation Regarding Supplementation of Discovery Responses and Pre-Trial Matters, ECF No. 170-1, and vacate any deadlines inconsistent with the Schedule. In support of the Motion, the Parties state the following:

1. The Case Management Order, as amended by subsequent orders, included deadlines for the exchange of pre-trial disclosures, motions *in limine*, and an ADR Report. ECF No. 39 (Case Management Order) ECF No. 118 (Joint Motion to Modify Scheduling Order; Minute Order (Sept. 17, 2018) (granting ECF No. 118).
2. As amended, motions *in limine* were due to be filed by March 29, 2019 and an ADR report is due to be filed on April 5, 2019. *Id.* However, these deadlines are no longer necessary given past developments in this case *see, e.g.* Minute Order (Oct. 19, 2018) (settlement conference held October 16, 2018), and the Parties’ stipulation regarding the Schedule. ECF No. 170-1.
3. To avoid any potential confusion arising from the appearance of a conflict between the amended scheduling order and the Parties’ agreement regarding a schedule for an efficient

exchange of pre-trial disclosures, the Parties ask that the Court adopt the Schedule, ECF No. 170-1, and vacate any deadlines in conflict with the Schedule.

4. The Parties request that the requirement of a separate Memorandum be waived.

RELIEF REQUESTED

The Parties respectfully request that the Court adopt the Schedule in the Parties' stipulation, ECF No. 170-1, and vacate any deadlines inconsistent with the Schedule.

FOR THE UNITED STATES:

Dated: April 4, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2019, I electronically filed the foregoing with the Clerk of Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Patrick Holkins

Patrick Holkins